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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin V. Keigley
Application No.: 10/675,395
Filed: 09/30/2003
Title: Scarifying Rake Drag
Group/Art Unit: 3671
Examiner: Alexandra K. Pechold
Attorney Docket No.: 137-007 Absolute

Mail Stop Non-Fee Amendment
Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Please amend the claims in accordance with the attached claim amendment sheet.

REMARKS

This is in response to the office action of April 29, 2004. The subject matter of claim 2 has been added to claim 1 and claim 2 cancelled.

Original claims 1 and 2 stand rejected under 35 USC § 102(b) as being anticipated by Voorhees. Reconsideration of this rejection with respect to claim 2 is respectfully requested. Voorhees is not a true drag such as claimed by the applicant, but rather is a three point hitch construction. Cross member 30 is pivotally connected to the frame or chassis of the tractor in conjunction with turnbuckle 34. Original claim 2 (now claim 1 as amended) required the extensible linkage to be pivotally carried between a frame member and the hitch bar. The frame member carries the scarifying teeth as well as a plurality of tines. This is not shown in Voorhees. In Voorhees, turnbuckle 34 is connected to the chassis or frame of the towing vehicle, not any hitch bar. In addition, fingers 56 in Voorhees are not tines as envisioned by the examiner. Fingers 56 are not for engaging the soil which is the requirement of both the scarifying teeth and the tines as claimed by the applicant.

Accordingly, original claim 2 (now claim 1 amended) is neither anticipated nor rendered obvious by Voorhees.

Respectfully Submitted,

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